

Remarks

The Applicants acknowledge the Restriction Requirement concerning Group I including Claims 1-22 and Group II including Claims 23-25. The Applicants confirm their election of Claims 1-22 and acknowledge that Claims 23-25 have been withdrawn. In the event that the Examiner finds the remainder of the Application completely in condition for allowance, the Applicants authorize cancellation of those non-elected Claims.

The Applicants have added new Claims 26 and 27 that depend from independent Claims 1, 2 or 22 and recite particulars of the fuel permeation resistance. Support may be found in the paragraph spanning pages 19 and 20 of the Applicants' Specification, together with Table 1. Entry into the Official File and consideration on the merits is respectfully requested.

The Applicants note with appreciation the approval of the drawings previously submitted.

Independent Claims 1, 2, 22, 23, 24 and 25 have been amended to place them into better form for allowance. Claims 1, 2 and 22 have been amended to recite that the fuel pipe joint comprises a fuel permeation resistant joint material. Similarly, Claims 23-25 have been amended to recite a method of "reducing fuel permeation through a wall in a fuel pipe joint comprising forming the fuel pipe joint by applying a joint material." These changes are intended to emphasize the importance of the fuel permeation resistance of the joint material per se, as opposed to the functional language previously employed in the original forms of those Claims. Entry into the Official File is respectfully requested.

The Applicants acknowledge the rejection of Claims 1-11 under 35 U.S.C. §103 over the hypothetical combination of Oka with Yokoyama. The Applicants note with appreciation the Examiner's detailed and helpful comments concerning the hypothetical combination of Oka with Yokoyama. Nonetheless, the Applicants respectfully submit that one of ordinary skill in the art would not make the hypothetical combination as set forth in the Official Action for the reasons set

forth below.

The Applicants agree that Yokoyama discloses a pipe joint. The pipe joint is characterized as a quick connector, but there is no reference to fuel in particular. The Applicants therefore respectfully submit that it is speculative as to whether Yokoyama discloses a fuel pipe joint. As a consequence of the lack of disclosure concerning whether the Yokoyama quick connector is for fuel, it inherently follows that there is no disclosure concerning fuel permeation resistance, much less whether the speculative fuel permeation resistance is or would be excellent. In other words, there simply is no disclosure in Yokoyama concerning excellent fuel permeation resistance. The Applicants also agree that Yokoyama does not disclose the specifically claimed polyamide joint material.

In sharp contrast to the Yokoyama, Oka discloses a polyamide composition suitable for moldings used in electronic appliances. That composition has good flame retardancy and heat resistance. It also has good thermal stability and moldability. The polyamide is disclosed as being applicable to electric and electronic appliances such as connectors, switches, relays, printed wiring boards, reflecting mirrors, machine components, decorations, films, sheets and fibers. There is nothing, however, concerning the use of the polyamide in pipes, pipe connectors or in connection with fuel. Thus, the Applicants respectfully submit that one of ordinary skill in the art would have utterly no incentive to combine the polyamide composition of Oka with Yokoyama. It must be remembered that references can only be combined when there is motivation to make the combination and a reasonable expectation of success. The Applicants respectfully submit that there is no such motivation and utterly no reasonable expectation of success in attempting to provide a fuel pipe joint that has excellent fuel permeation resistance based on the disclosures of each of Yokoyama and Oka.

As set forth in Claims 1-11, it is important that the joint material have excellent fuel permeation resistance. Yokoyama refers to quick connectors generally, but does not disclose fuel and does not disclose fuel permeation resistance. Similarly, Oka utterly fails to refer to fuel and also

inherently fails to refer to fuel permeation resistance. As a consequence, the Applicants respectfully submit that if one of ordinary skill in the art were attempting to provide a fuel pipe joint having excellent fuel permeation resistance, that such a person of ordinary skill in the art would not look to either of Yokoyama or Oka and surely would not hypothetically combine them together. The reason for this is that there is utterly no motivation provided by either reference that supports the combination. Neither reference refers to fuel permeation resistance at all and, therefore, the Applicants respectfully submit that one of ordinary skill in the art would look to neither reference to provide that important aspect of Claims 1-11.

The Applicants also respectfully submit that one of ordinary skill in the art would have no reasonable expectation of success that utilizing the polyamide of Oka in combination with a quick connector of Yokoyama would provide a fuel pipe joint having excellent fuel permeation resistance. The reason for this is quite simple: there is utterly no disclosure of fuel permeation resistance in either reference. Therefore, one of ordinary skill in the art simply could not have an expectation of success. In fact, the Applicants respectfully submit that Oka is so completely devoid of disclosure with respect to fuel permeation resistance that it is non-enabling as a basis for causing one of ordinary skill in the art to make the hypothetical combination. The Applicants accordingly respectfully request that the rejection of Claims 1-11 based on Oka and Yokoyama be withdrawn.

The Applicants acknowledge the rejection of Claims 12-13 and 16-20 under 35 U.S.C. §103 over the further hypothetical combination of Noone with Oka and Yokoyama. The Applicants have already established that one of ordinary skill in the art would not make the hypothetical combination of Oka with Yokoyama. The Applicants respectfully submit that Noone fails to provide additional teachings that would cause one of ordinary skill in the art to hypothetically combine any of Yokoyama, Oka and Noone. Accordingly, the Applicants respectfully request that the rejection of Claims 12-13 and 16-20 be withdrawn.

The Applicants acknowledge the rejection of Claims 14 and 15 under 35 U.S.C. §103 over the further hypothetical combination of Andre with Noone, Oka and Yokoyama. The Applicants have already established that one of ordinary skill in the art would not make the hypothetical combination of Oka with Yokoyama. Andre fails to provide additional teachings or suggestions that would cause one of ordinary skill in the art to make the hypothetical combination of any of Andre with the tertiary, secondary or primary reference. Withdrawal of the rejection of Claims 14 and 15 is respectfully requested.

The Applicants acknowledge the rejection of Claims 1-11 under 35 U.S.C. §103 over the hypothetical combination of Uchida with Yokoyama. The Applicants have already established the inapplicability of Yokoyama. The Applicants respectfully submit that one of ordinary skill in the art would not hypothetically combine Uchida as set forth in the Official Action with Yokoyama for the reasons set forth in detail below.

Uchida discloses a polyamide composition that has good moldability, toughness, light weightness, hot water and steam resistance, heat resistance, mechanical characteristics, low water absorption and chemical resistance. It should be noted that Uchida utterly fails to disclose, teach or suggest fuel permeation resistance.

Uchida discloses a slightly broader application of the polyamide than Oka. For example, Uchida mentions the applicability of the polyamide to automobile parts generally and provides a list of possible automotive parts in paragraph [0055]. Also, Uchida specifically refers to “fuel filter” in that paragraph. Thus, there is a mention of the word “fuel” in Uchida.

However, a “fuel filter” is entirely different from a “fuel pipe joint.” So, there is no disclosure in Uchida of utilizing the polyamide as a possible fuel pipe joint.

Accordingly, the Applicants respectfully submit that Uchida is inapplicable to Claims 1-11 and is further inapplicable to a hypothetical combination with Yokoyama. Withdrawal of the

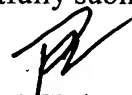
rejection of Claims' 1-11 based on the hypothetical combination of Uchida with Yokoyama is respectfully requested.

The Applicants acknowledge the rejection of Claims 12-13 and 16-20 under 35 U.S.C. §103 over the further hypothetical combination of Noone with Uchida and Yokoyama. The Applicants have already established that one of ordinary skill in the art would not make the hypothetical combination of Uchida with Yokoyama. The Applicants respectfully submit that Noone fails to provide additional teachings that would cause one of ordinary skill in the art to hypothetically combine any of Yokoyama, Uchida and Noone. Accordingly, the Applicants respectfully request that the rejection of Claims 12-13 and 16-20 be withdrawn.

The Applicants acknowledge the rejection of Claims 14 and 15 under 35 U.S.C. §103 over the further hypothetical combination of Andre with Noone, Uchida and Yokoyama. The Applicants have already established that one of ordinary skill in the art would not make the hypothetical combination of Uchida with Yokoyama. Andre fails to provide additional teachings or suggestions that would cause one of ordinary skill in the art to make the hypothetical combination of any of Andre with the tertiary, secondary or primary reference. Withdrawal of the rejection of Claims 14 and 15 is respectfully requested.

In light of the foregoing, the Applicants respectfully submit that the entire Application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,



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